

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

AMERICAN SUSTAINABLE BUSINESS COUNCIL,

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V.

1:24-CV-1010-DII

GLENN HEGAR, *in his official capacity*, et al.,

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Defendants.

ORDER

On August 30, 2024, Defendants filed a motion to dismiss. (Dkt. 24). Plaintiff's response to the motion to dismiss is past due. *See* W.D. Tex. Loc. R. CV-7(e). Although the Local Rules empower the Court to grant motions as unopposed when no response is timely filed, *id.*, this Court will not grant Defendants' motion to dismiss as unopposed at this time. **IT IS ORDERED** that Plaintiff (1) shall show cause in writing on or before **November 6, 2024**, as to why the Court should not grant Defendants' motion to dismiss as unopposed or, alternatively, (2) Plaintiff shall file a response to Defendants' motion to dismiss on or before **November 6, 2024**. Failure to do so will result in the dismissal of this action with prejudice. *See* Fed. R. Civ. P. 41(b) (action may be dismissed for want of prosecution or failure to comply with court order); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (district court has authority to dismiss case for want of prosecution or failure to comply with court order).

SIGNED on October 30, 2024.

Boomer

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE